

**City of Aberdeen Council Meeting
October 27, 2014**

Present: Mayor Bennett, Councilwoman Elliott, Councilman Garner,
Councilwoman Landbeck, and Councilwoman Young

Absent: None

Also Present: Douglas Miller, City Manager
Phyllis Grover, Director of Planning and Community Development
Henry Trabert, Chief of Police
Opiribo Jack, Director of Finance
Monica Correll, City Clerk
Doris Manner, Recording Secretary

Mayor Bennett called the meeting to order at 7:00 p.m. in the Council Chambers. The prayer was led by Pastor Ben Cordle, Bible Baptist Church and the Pledge of Allegiance was led by Councilwoman Landbeck.

Approval of Minutes:

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Young to approve minutes of the September 29, 2014 Council Meeting and the October 13, 2014 Business Meeting/Work Session.

The minutes were approved by a vote of 5 – yes.

PRESENTATIONS:

1. Presentation of Master Municipal Clerk Designation

Mayor Bennett presented City Clerk Monica Correll her Master Municipal Clerk Designation Certificate (MMC) from the International Institute of Municipal Clerks. Mayor Bennett noted that she is one of only three active Master Municipal Clerks currently in Maryland. Three more are retired.

PUBLIC HEARINGS: None

PUBLIC COMMENT:

1. Mr. Michael Hiob, Graceford Drive, Aberdeen: Mr. Hiob commented on the expenditures of the Mayor and Council Members, referenced a newspaper article, and wanted a second public comment section added to the agenda.
2. Ms. Barbara Kreamer, Aberdeen: Ms. Kreamer introduced herself as an election candidate and commented on local issues. The Mayor stated that campaigning is not allowed in the Council Chambers.

3. Mr. Richard Sherrill, President, Historical Society of Harford County: Mr. Sherrill thanked the City for the extension of a permit for the train station. He said that they are close to moving the station but must meet CSX safety inspection requirements. This will probably occur by springtime.

LEGISLATIVE SESSION:

1. Ordinance No. 14-O-18, Non-Pension Post-Employment Benefits Trust Fund (OPEB) (For Adoption)

Mr. Miller explained that this ordinance will allow the creation and staffing of the trust fund for retiree benefits.

A motion was made by Councilman Garner and seconded by Councilwoman Young to approve Ordinance No. 14-O-18, Non-Pension Post-Employment Benefits Trust Fund.

The motion was passed by a vote of 5 – yes.

2. Resolution No. 14-R-14, Healthy Eating Active Living (HEAL) (For Introduction & Adoption)

Mr. Miller said that Maryland Municipal League and the HEAL organization have united to promote health initiatives. The resolution will also help with Aberdeen's efforts toward becoming Sustainable Community certified.

Mayor Bennett introduced Resolution No. 14-R-14, Healthy Eating Active Living (HEAL). A motion was made by Councilwoman Landbeck and seconded by Councilwoman Young to approve Resolution No. 14-R-14, Healthy Eating Active Living (HEAL).

The motion was passed by a vote of 5 – yes.

3. Resolution No. 14-R-15, Frito Lay, Inc., 800 Hickory Drive for the Greater Aberdeen/Havre de Grace Enterprise Zone (For Introduction & Adoption)

Ms. Grover explained that Frito Lay, Inc. has requested an Enterprise Zone tax credit for a period of ten years. They have started a \$19 million expansion project to increase their facility 145,000 sq. ft. They have met and exceeded the requirements of the application by creating over 100 full-time jobs.

Mayor Bennett introduced Resolution No. 14-R-15, Frito Lay, Inc., 800 Hickory Drive for the Greater Aberdeen/Havre de Grace Enterprise Zone. A motion was made by Councilwoman Elliott and seconded by Councilwoman Landbeck to approve Resolution No. 14-R-15, Frito Lay, Inc., 800 Hickory Drive for the Greater Aberdeen/Havre de Grace Enterprise Zone.

The motion was approved by a vote of 5 - yes.

BUSINESS OF THE CITY:

1. Unfinished Business - None

2. New Business

a. Appointment – Board of Appeals

Mayor Bennett nominated Mr. Stephen Smith, retired Aberdeen Police Department Deputy Chief, to the Aberdeen Board of Appeals.

The nomination of Stephen Smith as a member of the Aberdeen Board of Appeals was approved by a vote of 5 – yes.

3. Business from the Director of Planning and Community

a) Preliminary Site Plan for McDonald's

Mr. Grover stated that the McDonald's Preliminary Site Plan was for a 4,500 sq. ft. restaurant with a drive-through to be located at 740 South Philadelphia Boulevard, across from Walmart. McDonald's will close their current location on Route 40. This will be \$2 million plus investment and will create 12-17 jobs. The Planning Commission recommended the Preliminary Site Plan at their September, 2014 meeting.

Mr. Jerry Powell of Frederick Ward Associates introduced: Mr. Lee May, Area Construction Manager (representing McDonald's); Mr. Robert E. Frankel, Frankel Properties (ownership of the land); Mr. Valek Zarski, Baltimore Land Design Group, Inc. (representing McDonald's); and, Mr. Peter Soprano, Frederick Ward Associates.

Mr. Powell described the new development and explained that there were five building pads at Aberdeen Station and McDonald's will be built on Pad Site 4; 1.2 acres, zoned B3 (highway commercial district), and located in the downtown overlay district. The owner met with the Architectural Review Committee and received a favorable recommendation.

Council discussion followed. Mr. Powell explained the accessibility to the new McDonald's and that there were no plans for the old building. A user is being sought for repurposing.

A motion was made by Councilman Garner and seconded by Councilwoman Landbeck to approve the Preliminary Site Plan for McDonald's.

The motion passed by a vote of 5 - yes.

b) Preliminary Site Plan for Aberdeen XChange, Lot 1 Retail Center

Ms. Grover noted that the 14,600 sq. ft. Preliminary Site Plan was located at Old Philadelphia Road and Newton Road in the Overlay District and intended for restaurants and retail. The Architectural Review Committee gave a favorable review in September 2014; the Planning Commission gave a favorable review in October 2014. The city departments have also given their approval.

Mr. Gerry Powell, with Fredrick Ward Associates, stated that Lot 1, Aberdeen XChange is located near Home2Suites. There are a total of four lots and Lots 2 and 3 are vacant. The owner is requesting a one story, 14,600 sq. ft. commercial building for one or multiple tenants. The area is now underdeveloped and stormwater requirements are in place. The current zoning is B3 and is located in the downtown revitalization district. The use designation for the building is shoppers merchandise. The lot is located in Harford County Wellhead Protection Zone 3 (recharge area) and will be 1.7 acres after it is subdivided.

Council discussion followed pertaining to the possible occupants: a bank, hardware store, toy store, nail salon, restaurants, etc. Mr. Powell stated that Old Philadelphia Road was recently improved with widening and better drainage, but Newton Road would also be improved. A possible right-in from Rt. 7 will be considered at a later date.

Mr. Powell said two entrances are proposed off of Newton Road and there will be a shared entrance with Lot 2. No entrances are currently planned off of Rt. 40. He noted that the uses will be screened by permit review and will not be detrimental to the wellhead. He added that first stage action is being taken with recharge and drainage.

A motion was made by Councilman Garner and seconded by Councilwoman Landbeck to approve the Preliminary Site Plan for Aberdeen XChange, Lot 1, Retail Center.

The motion was approved by a vote of 5 - yes.

c) Revised Final Subdivision Plat for Aberdeen XChange

Ms. Grover stated that this was a two-lot subdivision located on Old Philadelphia Road and Newton Road to be revised; it included the Warfield property. This request was reviewed at the Planning Commission October meeting and recommended for approval. Mr. Powell said that the Newton Road right-of-way will be deeded to the City.

During Council discussion, the need for wellhead protection was stressed. Mr. Powell noted that wellhead protection was important to the owners and engineers as well.

A motion was made by Councilwoman Landbeck and seconded by Councilman Garner to approve the Revised Final Subdivision Plat for Aberdeen XChange.

The motion was passed with a vote of 5 - yes.

4. Business from the Chief of Police

Chief Trabert announced the following Aberdeen Police Department (APD) activities: the Second Annual Trunk or Treat at the Boys & Girls Club and the Holiday Toy and Food Drive.

5. Business from the Director of Finance

Mr. Jack reported that Standard & Poor's Financial Services, LLC has upgraded the City's bond rating from AA to AA+.

6. Business from the City Manager

a. Budget Amendments

1) Ripken Stormwater Management

Mr. Miller asked for a budget amendment in the amount of \$69,000 from the Fund Balance to use for repairs at the stormwater management pond located at Ripken Stadium. The City received four quotes and the low quote was \$68,500. Work on this would start immediately.

A motion was made by Councilwoman Landbeck and seconded by Councilwoman Young to approve a Budget Amendment for Ripken Storm Water Management.

2) 18 North Howard Street

A motion was made by Councilman Garner and seconded by Councilwoman Elliott to approve the budget amendment transfer of \$11,000 from the Fund Balance for roof repairs to 18 N. Howard Street.

The motion was approved by a vote of 5 – yes.

Mr. Miller said that the City will observe Halloween trick or treating from 5 -8 p.m. on October 31, 2014. Commendations were given to Mr. Jack for the improvement of the City bond rating from AA to AA+. He welcomed Mr. Kyle Torster, the new Director of Public Works, who was present in the audience.

BUSINESS OF THE COUNCIL:

1. Business from the City Council

Councilwoman Elliott stated that money advanced or reimbursed for Council travel and expenses were used and processed legitimately. She disagreed with Councilwoman Landbeck's earlier statements that there were advances in the amount of \$500 to each

Council member for Maryland Municipal League conferences and that they were actually about \$300. She noted that the City is governed by federal GSA regulations which require receipts for this and other expenses.

Councilwoman Landbeck explained that her earlier statements were not to cast stones. She said that numbers can sometimes become distorted and may be affected by variables. Councilwoman also called attention to a November 4, 2014 ballot question regarding a constitutional amendment dealing with the transportation trust fund. The passage of the question would financially benefit municipalities. She said that the Mayor has helped in this cause and his efforts have returned \$200,000 back to Aberdeen. She congratulated Ms. Correll on her achievement and Mr. Jack on the bond rating upgrade. Standard & Poor's Financial Services has validated the City's fiscal soundness with an AA+ rating.

Councilwoman Young stated that all three municipalities in Harford County have different requirements, populations, and services. She hoped that the following information would help clarify previous misconceptions. She said that according to the 2010 census, Aberdeen has about 5,000 more residents than Bel Air and over 2,000 more residents than Havre de Grace. Bel Air buys water from a private company and its wastewater is taken care of by Harford County. Havre de Grace obtains water from the Susquehanna River and its waste water is processed at their own plant. Aberdeen obtains water from wells and purchases 300,000-500,000 gallons per day from Harford County. It treats its wastewater at its own plant. Aberdeen also owns and operates the water and sewer system for Aberdeen Proving Ground (APG), northern end. APG water is obtained through a permit with the Susquehanna River Basin Commission (SRBC) under a bulk water agreement. Harford County obtains its water from Baltimore City and the Perryman wellfield.

Councilwoman Young stated that Mayor Bennett has been an ambassador for us and deals with legislators, state and municipal officials. His ambassador work has built relationships that have improved the City's finances and future. He is President of the Mayor's Association and is working toward the complete restoration of the Highway User Funds. He is a Board Member of the Local Government Insurance Trust and on a committee for the National League of Cities. He is also a past President of the Maryland Municipal League. The purchase of a used vehicle for the Mayor was open for discussion and part of the budget process. His gas purchases were for made for City business. Councilwoman Young emphasized that respectable virtues render better results and gain more attention than negative attributes and actions.

Councilman Garner congratulated Ms. Correll and welcomed Mr. Torster to the City. In the past, he spent much time with the Mayor and City Manager working on completing the most recent Ripken Stadium Memorandum of Understanding (MOU). He said that this MOU was the best that the City has ever had to guarantee money for the City and that Mayor Bennett is spending long hours working on the hotel tax as well. He supports and stands by the Mayor, who is honest and trustworthy.

